

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Dwight D. Keen, Chair
 Susan K. Duffy
 Andrew J. French

In the matter of the failure of Jeff Crawford) Docket No: 22-CONS-3149-CPEN
dba Jeff's Oilwell Supervision (Operator) to)
comply with K.A.R. 82-3-111 at the Lerock) CONSERVATION DIVISION
#5, Lerock/Harrison #2, Schindler #B-1,)
Schindler #B-2, and Schindler #B-4 wells in) License No: 32247
Rooks County, Kansas.)

PRESIDING OFFICER ORDER
ON COMMISSION STAFF'S JANUARY 28, 2022 MOTION

On October 5, 2021, the Commission issued a Penalty Order against Operator in the captioned matter. Operator timely requested a hearing. The November 16, 2021, Order Designating Presiding Officer and Setting Prehearing Conference stated, among other things, that any late filing shall be accompanied by a Motion to File Out-of-Time.¹ The Presiding Officer's December 2, 2021, Order Setting Procedural Schedule stated Staff's pre-filed direct testimony would be due by January 10, 2022, Operator's pre-filed direct and rebuttal testimony would be due by January 24, 2022, and Staff's pre-filed rebuttal testimony would be due by February 7, 2022. The Presiding Officer's Order also stated failure to submit pre-filed testimony might result in the Commission restricting the right to testify and present evidence at the evidentiary hearing.² Operator did not submit any pre-filed testimony by its January 24, 2022, deadline, but did submit pre-filed testimony on January 26, 2022. It was not accompanied by a motion to file out-of-time.

On January 28, 2022, Staff moved to limit Operator to cross-examination at any evidentiary hearing before the Commission, and to proceed as if Operator did not file any testimony. In the

¹ Order Designating Presiding Officer and Setting Prehearing Conference, Ordering Clause D (Nov. 16, 2021).

² Presiding Officer Order Setting Procedural Schedule, ¶ 3 (Dec. 2, 2021).

alternative, if the Commission did not so limit Operator, Staff asked for a continuance of its rebuttal testimony deadline to February 10, 2022. Operator has not filed a response.

No injustice will accrue by providing Staff the full timeframe anticipated by the procedural schedule – two weeks – for it to respond to Operator’s pre-filed testimony. Accordingly, Staff’s rebuttal testimony deadline is continued from February 7, 2022, to February 10, 2022.

Regarding Staff’s request to limit Operator to cross-examination and to proceed as if Operator did not file any testimony, the Presiding Officer wishes to hear from Operator before ruling. Operator shall have until February 7, 2022, to file a response to Staff’s request.

BY THE PRESIDING OFFICER IT IS SO ORDERED.

Dated: February 2, 2022

/s/ Jonathan R. Myers
Jonathan R. Myers
Presiding Officer

CERTIFICATE OF SERVICE

22-CONS-3149-CPEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of
electronic service on 02/02/2022.

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/S/ DeeAnn Shupe
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